

CLASSIFICATION OFFICE DECISION

Title of publication: -3925712864964206294_2

Other known title(s): Not stated

OFLC ref: 1900522.002

Medium: Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification: Objectionable.

Descriptive note: None

Display conditions: None

Date of entry in Register: 16 December 2019

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 16 December 2019

Summary of reasons for decision:

The image file is deemed to be objectionable under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act) because it promotes and supports the exploitation of children for sexual purposes. It is a highly sexualised image of a nude young girl that has been shared as part of a messenger app conversation. The image is intended for the sexual arousal and titillation of adults with an interest in children. The availability of such material encourages the creation or reinforcement of this sexual interest by presenting children as appropriate subjects for adult sexual fantasy and desire. This classification interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the FVPC Act be banned. It also reflects the concern of a free and democratic society to protect its young and vulnerable members from exploitation.